

ESTTA Tracking number: **ESTTA137467**

Filing date: **04/25/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046079
Party	Defendant Viz Reflectives Limited Viz Reflectives Limited Vision House Marshfield Bank Employment Park Middlewich Road GBX Crewe, Cheshire, CW2 8UY
Correspondence Address	Kristine Miller & Ester Martin Maillaro Holland & Hart LLP 555 17th Street, Suite 3200P.O. Box 8749 Denver, CO 80201 UNITED STATES docket@hollandhart.com,emmaillaro@hollandhart.com,tadressler@hollandhart.com
Submission	Voluntary Surrender Of Registration
Filer's Name	Ester M. Maillaro
Filer's e-mail	emmaillaro@hollandhart.com,docket@hollandhart.com,JBSeyley@lawabel.com
Signature	/Ester M. Maillaro/
Date	04/25/2007
Attachments	Corrected Surrender of Reg.pdf (6 pages)(231718 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

I. Spiewak & Sons, Inc.,)	
)	
Petitioner,)	Cancellation No. 92046079
)	
v.)	
)	
Viz Reflectives, Limited,)	
)	
Applicant.)	
)	
Current Registrant is JJB Sports PLC)	

CORRECTED VOLUNTARY SURRENDER OF REGISTRATION

Registrant hereby voluntarily requests, pursuant to TBMP § 602, 37 CFR §§ 2.134(a), 2.172, that its Registration No. 3,105,982 be surrendered. The original Certificate of Registration was mailed by Express Mail to the Trademark Trial and Appeal Board on April 23, 2007; however, the Surrender incorrectly referenced TTAB Proceeding 92045862, rather than 92046079. Registrant requests that the Voluntary Surrender of Registration be transferred to the file for Proceeding 92046079. A copy of the original filing and registration certificate is attached for reference.

Dated: April 25, 2007

Respectfully submitted,



Ester Martín Maillaro
Holland & Hart LLP
555 17th Street, Suite 3200
P.O. Box 8749
Denver, CO 80201
Attorney for Registrant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EV882189639US

I. Spiewak & Sons, Inc.,)	
)	
Petitioner,)	Cancellation No. 92045862
)	
v.)	
)	
Viz Reflectives, Limited,)	
)	
Applicant.)	
)	
Current Registrant is JJB Sports PLC)	

VOLUNTARY SURRENDER OF REGISTRATION

Registrant hereby voluntarily requests, pursuant to TBMP § 602, 37 CRF §§ 2.134(a), 2.172, that its Registration No. 3,105,982 be surrendered. The original Certificate of Registration is enclosed.

Dated: April 23, 2007

Respectfully submitted,



Ester Martín Maillaro
Holland & Hart LLP
555 17th Street, Suite 3200
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Denver, CO 80201
Attorney for Registrant

CERTIFICATE OF MAILING BY EXPRESS MAIL

I. Spiewak & Sons, Inc.,)	
)	
Petitioner,)	Cancellation No. 92045862
)	
v.)	
)	
Viz Reflectives, Limited,)	
)	
Applicant.)	
)	
Current Registrant is JJB Sports PLC)	

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

The undersigned hereby certifies that the attached Voluntary Surrender of Registration and return card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV882189639US, with the United States Postal Service, addressed to Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, Virginia 22313-1451, on April 23, 2007.

April 23, 2007
Date

April 23, 2007
Date

Jane Sung
Mailer

Ester M. Maillaro
Ester Martín Maillaro
Holland & Hart LLP
555 17th Street, Suite 3200
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Denver, CO 80201
Attorney for Registrant

The United States of America



CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.

The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.

A copy of the Mark and pertinent data from the application are part of this certificate.

To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)



A handwritten signature in black ink, reading "Jon W. Dudas".

Director of the United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

Requirements in the First Ten Years*

What and When to File:

- First Filing: A Declaration of Continued Use (or Excusable Non-use), filed between the 5th and 6th years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- Second Filing: A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9th and 10th years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

Requirements in Successive Ten-Year Periods*

What and When to File:

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9th and 10th-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

Grace Period Filings*

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

The U.S. Patent and Trademark Office (USPTO) will **NOT** send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.

NOTE: *Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:*

www.uspto.gov

**YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT
FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE
SPECIFIED TIME PERIODS.**

***Exception for the Extensions of Protection under the Madrid Protocol:**

The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141k; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

Int. Cls.: 9 and 25

Prior U.S. Cls.: 21, 22, 23, 26, 36, 38 and 39

Reg. No. 3,105,982

United States Patent and Trademark Office

Registered June 20, 2006

**TRADEMARK
PRINCIPAL REGISTER**

VIZWEAR

VIZ REFLECTIVES LIMITED (UNITED KING-
DOM CORPORATION)
VISION HOUSE MARSHFIELD BANK
EMPLOYMENT PARK MIDDLEWICH ROAD
CREWE, CHESHIRE, UNITED KINGDOM CW2 8UY

FOR: PROTECTIVE CLOTHING AND FOOT-
WEAR, NAMELY, REFLECTIVE AND FLUORES-
CENT CLOTHING, NAMELY, VESTS,
WAISTCOATS, TABARDS, BIBS, ARMBANDS,
JACKETS, FLEECE OUTERWEAR, TROUSERS
AND RAINWEAR; REFLECTIVE AND FLUORES-
CENT FOOTWEAR; REFLECTIVE AND FLUORES-
CENT HEADGEAR, NAMELY, HATS, HELMETS
AND BASEBALL CAPS; ALL BEING FOR THE
PROTECTION OF ACCIDENT OR INJURY, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: CLOTHING, NAMELY, VESTS, WAIST-
COATS, TABARDS, BIBS, ARMBANDS, JACKETS,

FLEECE OUTERWEAR, TROUSERS AND RAIN-
WEAR; FOOTWEAR; HEADGEAR, NAMELY, HATS
AND BASEBALL CAPS, IN CLASS 25 (U.S. CLS. 22
AND 39).

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO.
003141678, DATED 7-6-2004, EXPIRES 4-22-2013.

OWNER OF UNITED KINGDOM REG. NO.
2322039, DATED 8-8-2003, EXPIRES 1-29-2013.

SER. NO. 78-440,053, FILED 6-23-2004.

INGA ERVIN, EXAMINING ATTORNEY